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September 25, 2003

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### COMMENTS

The facsimile confirmation of the Patent Office imprinted hereon will acknowledge receipt of:

Application No: 10/629,117

Application Date.: July 28, 2003

Applicant: Katsuo KUMAGAI et al.

For: Therapeutic Agent for Mastitis of Livestock and Method for Treating Mastitis Using the Same Agent

Papers Submitted: A copy of the returned postcard, with serial number; and a copy of the application as filed on July 28, 2003.

Docket No.: 44471/282235

Date Faxed September 25, 2003

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The U.S. Patent & Trademark Office official Mailroom stamp affixed hereto, acknowledges receipt of the items listed below:

Serial No: Unassigned

Filing Date: Herewith

Inventor: Katsuo KUMAGAI et al.

For: Therapeutic Agent for Mastitis of Livestock and Method for Treating Mastitis Using the Same Agent

Papers Submitted: Transmittal (1); Fee Transmittal (1); Specification (30); copy of Declaration (2); Preliminary Amendment (5); Petition for Extension of Time in parent

(1); and checks in the amounts of \$875.00 and \$750.00.

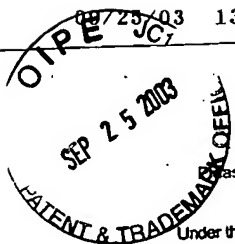
Docket No.: 44471/288225

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No.	44471/ 288235
Inventors	Katsuo KUMAGAI; Kenzo KAI; Ken-ichi KOMINE
Title	Therapeutic Agent for Mastitis of Livestock and Method for Treating Mastitis Using the Same Agent
Express Mail Label No.	EV 212828943US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 30]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the invention
  - Brief Summary of the invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets 0]
5. Oath or Declaration [Total Pages 2]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)
  - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

**ADDRESS  
TO:**Commissioner for Patents  
Mailstop Patent Application  
P.O. Box 1450  
Alexandria, VA 22313-1450

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATIONS PARTS**

9. ☒ Assignment:
  - a. ☐ Assignment Papers (cover sheet & document(s))
  - b. ☒ Assignment is of record in parent application No. 09/995,040
10. ☐ 37 C.F.R. §3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Petition for Extension of Time in parent application.

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No: 09/995,040

Prior application information: Examiner G. Krishnan

Group / Art Unit: 1623

Recite complete dependency back to first parent application: This application is a continuation of U.S. Patent Application Serial No. 09/995,040, filed November 26, 2001.

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**17. CORRESPONDENCE ADDRESS**☒ Customer Number

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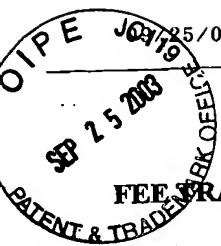
Name (Print/Type)	Janina A. Malone	Registration No. (Attorney/Agent)	47,768
Signature		Date	July 28, 2003

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## FEE TRANSMITTAL

Attorney Docket No. 444, ..

This sheet accompanies a patent application transmittal for the following application:

Inventor(s): Katsuo KUMAGAI et al.

Filing Date: Herewith

Title: Therapeutic Agent for Mastitis of Livestock and Method for Treating Mastitis Using the Same Agent

The filing fee is calculated as shown below:

## 1. FILING FEE:

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<input type="checkbox"/> PLANT FILING FEE		\$260		\$520	
<input type="checkbox"/> REISSUE FILING FEE		\$375		\$750	
<input type="checkbox"/> PROVISIONAL FILING FEE		\$80		\$160	
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## 2. CLAIMS:

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FOR:	NO. FILED	NO. EXTRA	RATE	FEE		RATE	FEE
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## 3. ADDITIONAL FEES:

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<input type="checkbox"/> LATE FILING, FEE OR OATH		\$65		\$130	
<input type="checkbox"/> NON-ENGLISH SPECIFICATION		\$130		\$130	
<input type="checkbox"/> OTHER					
SUBTOTAL (3)			\$		\$

TOTAL FILING FEES: \$750.00

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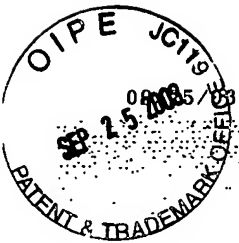
☒ Charge any additional fees required under 37 C.F.R. 1.16 or 1.17 to Deposit Account 11-0855.

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By: 

Janina A. Malone, Attorney for Applicant  
Reg. No. 47,768

Date: 7/28/05



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